

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI**

ENERGIZER BRANDS II LLC,
ENERGIZER HOLDINGS, INC., and
AMERICAN COVERS, LLC,

Plaintiffs,

vs.

PARADISE AIR FRESH, LLC, MARC
FUNDERLICH, and RYAN SIMONS,

Defendants.

JURY TRIAL DEMANDED

Civil Action No. 4:19-cv-00429

**JOINT STIPULATED MOTION FOR EXTENSION OF DEADLINES
RELATED TO MOTION TO DISMISS**

Plaintiffs Energizer Brands II LLC, Energizer Holdings, Inc., and American Covers, LLC (collectively, “Plaintiffs”) and Defendants Paradise Air Fresh, LLC and Marc Funderlich (collectively, “Defendants”) hereby jointly stipulate to, and respectfully request that the Court enter, the following briefing schedule related to Defendants’ June 20, 2019 Motion to Dismiss: (a) Plaintiffs’ deadline to respond is July 11, 2019, and (b) Defendants’ deadline to file their reply is August 1, 2019.

On June 20, 2019, Defendants filed a Motion to Dismiss. ECF No. 15. Plaintiffs’ current deadline to respond is June 27, 2019, and Defendants’ deadline to reply is July 4, 2019 (effectively, July 5). The parties’ request that their stipulated schedule be entered in light of intervening deadlines for Plaintiffs’ counsel in other cases, as well as the intervening July 4 holiday.

For the foregoing reasons, the parties respectfully request that the Court grant this motion and extend Plaintiffs' response deadline to July 11, 2019 and Defendants' reply deadline to August 1, 2019.

DATED: June 26, 2019

Respectfully submitted,

/s/ Jennifer Fairbairn Deal

Herbert R. Giorgio Jr., Missouri Bar #58524
Matthew G. Minder, Missouri Bar #61686
BRYAN CAVE LLP
One Metropolitan Square
211 North Broadway, Suite 3600
St. Louis, MO 63102-2750
(314) 259-2417 (telephone)
(314) 552-8417 (facsimile)
herb.giorgio@bclplaw.com
matt.minder@bclplaw.com

William H. Brewster (admitted *Pro Hac Vice*)
Jennifer Fairbairn Deal (admitted *Pro Hac Vice*)
KILPATRICK TOWNSEND & STOCKTON
LLP
1100 Peachtree Street NE, Suite 2800
Atlanta, GA 30309
Telephone: 404-815-6500
Facsimile: 404-815-6555
bbrewster@kilpatricktownsend.com
jdeal@kilpatricktownsend.com

*Attorneys for Plaintiffs Energizer Brands II
LLC and Energizer Holdings, Inc.*

/s/ Matthew A. Jacober

Matthew A. Jacober (MO. 51585)
LATHROP GAGE, LLC
7701 Forsyth Blvd.
Suite 500
Clayton, MO 63105
Telephone: (314) 613-2845
Email: mjacobер@lathropgage.com

Michael W. Marcil*
GUNSTER, YOAKLEY & STEWART, P.A.
450 East Las Olas Blvd.
Suite 1400
Ft. Lauderdale, FL 33001-4206
Telephone: (954) 462-2000
Email: MMarcil@gunster.com

Christopher Benvenuto*
John W. Terwilleger*
GUNSTER, YOAKLEY & STEWART, P.A.
777 South Flagler Drive
Suite 500 East
West Palm Beach, FL 33401
Telephone: (561) 655-1980
Email: CBenvenuto@gunster.com
JTerwilleger@gunster.com
(**pro hac vice* forthcoming)

*Counsel for Defendants Paradise Air Fresh,
LLC, Marc Funderlich and Ryan Simons*

CERTIFICATE OF SERVICE

I hereby certify that on June 26, 2019, I electronically filed the foregoing Motion with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record identified below via email.

Matthew A. Jacober	mjacobер@lathropgage.com
Michael W. Marcil	MMarcil@gunster.com
Christopher Benvenuto	CBenvenuto@gunster.com
John W. Terwilleger	JTerwilleger@gunster.com

Attorneys for Defendants

/s/ Jennifer Fairbairn Deal
Jennifer Fairbairn Deal